

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 5

March 2, 2011

SUBJECT: MISCELLANEOUS MANUAL AMENDMENTS: USE OF THE HOBBLE RESTRAINT DEVICE - ESTABLISHED; TRANSPORTING VIOLENT PERSONS - USE OF LEG RESTRAINING DEVICES - DELETED; MEDICAL TREATMENT OF UNBOOKED ARRESTEES - REVISED; COMPLETING THE NARRATIVE - LEVEL I INCIDENT - PHOTOGRAPHS AND OTHER EVIDENCE - REVISED

EFFECTIVE: IMMEDIATELY

PURPOSE: This Order modifies the use of the Hobble Restraint Device, the procedure for emergency medical treatment of unbooked arrestees and use of force photographic evidence.

PROCEDURE:

I. USE OF THE HOBBLE RESTRAINT DEVICE - ESTABLISHED.

Department Manual Section 4/217.40, *Use of the Hobble Restraint Device - Established*, has been created and shall read as follows:

Use of the Hobble Restraint Device. The Hobble Restraint Device can be used to control a violent or potentially-violent arrestee, or as a restraining device for a non-violent arrestee when handcuffs are impractical due to injury or other extenuating circumstances.

Note: The mere application of the Hobble Restraint Device does not constitute a reportable use of force.

The Hobble Restraint Device was designed to be used to secure the ankles, knees, elbows or feet of an individual who is potentially violent or displaying violent behavior by kicking, fighting, biting, punching, or thrashing about. These techniques can be varied according to the circumstances an officer may encounter, but in each instance, care should be taken to prevent injury to the arrestee. Once the Hobble Restraint Device is secured, officers shall immediately place the individual in an upright, seated position or on his/her left side (left lateral recumbent position). If this is not possible due to medical or tactical issues, then placing the individual on his/her right side is an acceptable substitute.

Note: The Hobble Restraint Device shall not be used to bind the suspect's hands and feet together in any manner.

Officers may use the Hobble Restraint Device to secure a violent or potentially-violent person transported in a police vehicle when:

- * The person's hands are secured with handcuffs that are double-locked behind the person's back;
- * The person is secured to the police vehicle seat with the police vehicle's safety belt; and,
- * The Hobble Restraint Device strap is pulled out of the rear door, the loose end (snap-hook end) of the strap is placed on the front passenger floorboard, and both doors are closed to secure the strap.

Officers shall request a rescue ambulance to transport a violent person only:

- * If the person is extremely violent (e.g., transportation of the violent person in the police vehicle would likely result in serious injury or vehicle damage) and requires restraint to the extent that he or she must be transported in a recumbent position; or,
- * If the violent person is injured or physically ill and is in need of immediate medical attention.

II. **TRANSPORTING VIOLENT PERSONS - USE OF LEG RESTRAINING DEVICES - DELETED.** Section 4/217.52, *Transporting Violent Persons - Use of Leg Restraining Devices*, is deleted from the Department Manual.

III. **MEDICAL TREATMENT OF UNBOOKED ARRESTEES - REVISED.** Department Manual Section 4/648.10, *Medical Treatment of Unbooked Arrestees*, shall be amended as follows:

Arrestees Who Have Ingested Narcotics. When an employee believes that an arrestee has ingested narcotics or any other substance which could present a health hazard to the arrestee, the employee shall:

- * Summon a Los Angeles Fire Department Rescue Ambulance for assessment and treatment without unreasonable delay.

The remainder of this section remains unchanged.

IV. COMPLETING THE NARRATIVE - LEVEL I INCIDENT - REVISED.

Department Manual Section 4/245.12, *Completing the Narrative - Level I Incident, Photographs and Other Evidence*, shall be amended as follows:

Photographs and Other Evidence. Photographs should be taken and included in all NCUOF investigations. If a photograph is impractical (e.g., the subject of the use of force refuses to be photographed, etc.), an explanation shall be documented in the NCUOF report. Information related to photographic evidence should be documented in the Scene Canvassed for Physical Evidence section. Investigating supervisors are to ensure photographs are taken of the following:

- * The subject of the use of force to document visible injury and any complained of injury locations. Absent unavoidable circumstances, SID staff shall take photographs if required of exposed breasts, buttocks, or genitalia;

Note: Photographs should always be taken of the impact locations when less lethal devices are used.

- * Department employees to document visible injury and any complained of injury location resulting from the NCUOF incident or any evidence such as damaged equipment or torn uniform items;
- * The scene of the incident and evidence collected, if it is relevant to the use of force and/or sustained injuries;
- * The vantage point of a witness when it may prove useful in resolving conflicting statements between witnesses as it relates to the use of force; and,
- * Additional photographs may be taken at the discretion of the investigating supervisor for evidentiary purposes. This includes cases where a criminal filing may be sought, such as battery against a police officer.

Photographs taken with a digital camera by Department employees will suffice for recording Level II and Level I investigations, although photographs taken by SID are preferred for Level I investigations. All photographs, including those taken by SID, should be attached and listed individually in the Addenda & Attachments Section of the NCUOF Report. A brief description of each photograph shall be included in this section. Photographs taken by SID shall reflect the appropriate reference

March 2, 2011

number obtained from SID. Compact disks containing photographs shall be placed in an envelope and the envelope marked with the corresponding reference number.

The remainder of this section remains unchanged.

AMENDMENTS: This Order adds Sections 4/217.40; amends Sections 4/245.12; 4/648.10; and deletes Section 4/217.52 from the Department Manual.

MONITORING RESPONSIBILITY: The Commanding Officer, Personnel and Training Bureau, shall have monitoring responsibility for this directive.

AUDIT RESPONSIBILITY: The Commanding Officer, Internal Audits and Inspections Division, shall review this directive and determine whether an audit or inspection shall be conducted in accordance with Department Manual Section 0/080.30.

A handwritten signature in black ink, appearing to read 'Charlie Beck', is written over the printed name.

CHARLIE BECK
Chief of Police

DISTRIBUTION "D"